

Appl. No. 10/743,259  
Amdt. dated Aug. 13, 2007  
Reply to Office Action of Apr. 11, 2007

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figure 2. This sheet replaces the original sheet including Figure 2. In Figure 2, previously omitted "Prior Art" has been added.

Attachment: Replacement Sheet

## **REMARKS**

Currently, claims 13, 15-16, 18-20, 22-26, 28-29, 30-33, and 35-37 remain pending in the present application. Claims 13, 16, 17, 20, 22-24, 26, 29, 30, 33, and 35-37 are being examined according to the species election, including independent claims 13 and 26. For example, independent claim 13 is directed to an absorbent garment comprising a liner, an outer cover, an absorbent structure, and an adhesive. The absorbent structure is positioned between the liner and the outer cover. The adhesive is positioned between at least two of the liner, the outer cover, and the absorbent structure. The adhesive is applied at least partly according to a swirl-like pattern. The swirl-like pattern comprises a plurality of loops having a size, such that the size of the loops change as a function of distance. The adhesive pattern changes as a function of distance and according to at least one of pattern breadth or adhesive dose in weight per area along the distance. The adhesive dose of the adhesive pattern changes as a function of distance such that the weight per unit area of adhesive applied varies by at least 20% by weight.

As shown above, independent claims 13 and 26 have been amended to require that the adhesive pattern alternates between the swirl-like pattern and a continuous bead, such as required by previously pending claims 17 and 30, respectively. No new matter has been added by the present amendments.

Also, substitute drawings have been provided to amend Fig. 2 to be labeled "Prior Art" in response to the objection in the Office Action.

In the Office Action, independent claims 13 and 26 and the previously pending dependent claims 17 and 30 were rejected under 35 U.S.C. § 103 (a) in view of U.S. Publication No. 2003/0173018 of Harris in combination with U.S. Patent No. 6,635,798 of Yoshioka, et al. Also, the Office Action cites four other secondary references as disclosed in that the size of the loops of adhesive pattern can change the function of distance: U.S. Patent No. 6,436,083 of Mishima, et al.; U.S. Patent No. 4,960,619 of Slautterback; U.S. Patent No. 6,200,635 of Kwok; and U.S. Publication No. 2001/0038039 of Schultz. However, even if these references are combined as

attempted by the Office Action, the references fail to teach or suggest all the claim limitation of independent claims 13 and 26.

Harris is directed to a method of securing an elastic strand to a flat substrate or sheet of material. A filament of adhesive is dispensed onto the strand in a pattern configured with adhesive masses coupled by thinner filament sections. The strand is bonded to the substrate with at least the adhesive masses. See, Abstract. The continuous filament of adhesive is dispersed in a swirl pattern having crossover points coupled to each other by thinner filament sections. These crossover points form spaced apart masses of adhesive on the elastic strand which are substantially larger in width than the thinner filament sections therebetween. See, e.g., paragraph 12. These adhesive masses then bond the elastic strand to the sheet of material. In order to dispense the adhesive onto the filaments, an apex or tip 12A of the nozzle 12 is spaced a short distance from the like strand 14. The filament is discharged in a pattern that forms discrete areas or masses of adhesive which may form solid dots 30 of adhesive that may or may not be connected by thinner filament sections. See, e.g., p. 3, paragraph 33. The dispenser uses pressurized air or other manners of moving the filament of adhesive back and forth in the overlapping swirl pattern to form the masses. P. 3, paragraph 34. For example, Fig. 7 illustrates an expanded swirl pattern 110 dispensed onto elastic strands 14 in accordance with the principles of Harris. The swirl pattern 10 has crossover points 112 which define in forming the adhesive matters 112 connected together by thinner filament sections 114. P. 4, paragraph 39. This application method allows the crossover points to conglomerate to form more solid adhesive masses 122, as shown in Figs. 8 and 8A.

However, Harris completely fails to teach or disclose the combination of a swirl-like pattern comprising a plurality of loops that change as a function of distance and an adhesive pattern that changes as a function of distance according to the adhesive dose and weight per area along the distance. Furthermore, Harris fails to disclose that the adhesive pattern alternates between the swirl-like pattern and a continuous bead. Harris simply discloses that a plurality of loops can be used to form crossover points that conglomerate to form larger adhesive masses. Thus, the swirls of Harris disappear

in the final product, leaving only the masses as shown in Figs. 8, 8A, and 9. In order to somehow overcome the deficiencies of Harris, the Office Action cites to any of the secondary references, but specifically discloses Yoshioka, et al. Yoshioka, et al. discloses that the adhesive lines L apply to any one of the sheet members of the top sheet, the back sheet, the tissue papers, the barrier sheets, and the target tape. The adhesive lines L are shown bending a repeated number of times in the range of 50-200 per one meter of vertical dimension of the sheet member. Col. 5, ll. 31-39. However, Yoshioka, et al. completely fails to teach or even suggest varying the adhesive dose per unit area. In fact, Yoshioka, et al. actually teaches away from varying the adhesive dose by limiting the times in which one of the adhesive lines L intersects creating a conglomerate. Yoshioka, et al. actually states that if the number of times in which the adhesive line L intersects is too high, the liquid permeability of the top sheet and the tissue paper will be prevented. As a result, because the body fluids cannot smoothly move from the top sheet to the tissue paper, it is impossible to sufficiently utilize the liquid absorbency of the core. Col. 5, ll. 60-67. Thus, Yoshioka, et al. actually teaches away from the very essence of the disclosure in Harris.

Applicants respectfully submit that one of ordinary skill in the art would not be motivated to somehow modify the teachings of Harris with that of Yoshioka, et al. due to these conflicting teachings.

In any event, none of the cited references teach an adhesive pattern that alternates between a swirl-like pattern and a continuous bead pattern.

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